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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/098,648	03/15/2002	William A. Elmer	8588.12RE	7382

7590 07/26/2005

Herbert L Allen
Allen Dyer Doppelt Milbrath & Gilchrist PA
P O Box 3791
Orlando, FL 32802

EXAMINER

GREEN, BRIAN

ART UNIT	PAPER NUMBER
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3611

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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16/898, 648

EXAMINER

Green

ART UNIT	PAPER
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3611 50

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Commissioner for Patents

Response to Amendment

The reply filed on May 31, 2005 is not fully responsive to the prior Office Action because: The applicant failed to provide the status of all of the claims and support for the claim changes, see MPEP 1453 and 37 CFR 1.135(c). The applicant argues that the response filed on Nov. 8, 2004 provides the status of the claims as required. The examiner disagrees since the applicant failed to indicate which claims are pending and which claims have been canceled. The applicant needs to list in the remarks section the status of each of the claims, i.e. which claims are pending and which claims have been canceled. Further, claims 1-3 are not included in the listing of the claims filed on Nov. 8, 2004, so the status of these claims is unclear. The applicant argues that the reply filed on September 7, 2004 provides support for the claim changes in the Remarks section beginning on page 14 of the response. The examiner disagrees since the applicant fails to provide any support in the Remarks section for the changes made to the claims. In fact, the applicant fails to even mention the changes made to the claims in the Remarks section. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).


The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian K. Green whose telephone number is (571) 272-6644. The examiner can normally be reached on M-F 7am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bkg
July 20, 2005


BRIAN K. GREEN
PRIMARY EXAMINER